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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/587,153	07/25/2006	Josef Artelsmair	ARTELSMAIR ET AL 8 PCT	4970
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COLLARD & ROE, P.C. 1077 NORTHERN BOULEVARD ROSLYN, NY 11576				
EXAMINER				
DANG, KET D				
ART UNIT		PAPER NUMBER		
3742				
MAIL DATE		DELIVERY MODE		
10/27/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/587,153

**Applicant(s)**

ARTELSMAIR ET AL.

**Examiner**

KET D. DANG

**Art Unit**

3742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 August 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/22)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Prosecution Application***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 20, 2010 has been entered.

This office action is responsive to the amendment filed on August 20, 2010. As directed by the amendment: claims 4-5 have been amended, claim 1 has been cancelled and no new claims have been added. Thus, claims 2-6 are presently pending in this application.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 2-6 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Mukai et al. (US Pub. No. 20040011776 A1) in view of Parmelee et al. (US 4,731,518).

Regarding claim 6, Mukai et al. discloses a welding wire storage device for a welding system (see figure 1) comprising: a housing 3 (fig. 3A) (see figures 3A below for the indication of a housing) having a free space, a first end region 5 (fig. 1) and a second end region 6 (fig. 1) opposite the first end region (para. 0050-0051); a welding wire 1 (fig. 1) arcuately arranged to lie freely in the free space of the housing;; a measuring device 11 (fig. 1) for detecting deflection of the welding wire 1; a guide element on the second end region 6 (fig. 1) (para. 0020); and first 5 (fig. 1) and second 6 (fig. 1) coupling mechanisms arranged on the housing (para. 0020, 0021, 0046-0047).

With respect to claim 3, Mukai et al. discloses wherein elements for delimiting maximum deflection of the welding wire 1 are arranged in the housing 3 (fig. 3A) (para. 0019, 0031).

With respect to claim 4, Mukai et al. discloses wherein an element for fastening 14 (fig. 2) a hose pack 3 (fig. 1) is arranged on an opposite side of the free space of the housing (para. 0031-0032).

With respect to claim 5, Mukai et al. discloses wherein the housing (see fig. 3A below) is arranged between a welding apparatus or wire feeder 2 (fig. 1) and a welding torch 4 (fig. 1), wherein a hose pack 3 (fig. 1) is arranged directly, without interruption,

between the welding apparatus or wire feeder and the welding torch, and wherein the wire core is interrupted in the housing 3 (fig. 3A) (para. 0012).

Mukai et al. discloses all of the limitations of the claimed invention as set forth above, except for a wire core and a wire guide hose for the wire core.

However, a wire core and a wire guide hose for the wire core are known in the art. Parmelee, for example, teaches a wire core 100 (fig. 14, i.e. electrode guide) and a wire guide hose 200/202 (fig. 14) for the wire core (col.4, lines 50-56; col. 6, lines 27-33). Parmelee further teaches such a configuration provides a means to improved arrangement for insuring that the electrode is electrically energized at a predetermined and consistent distance from the end of the contact tip (col. 3, lines 2-4) and to provide a smooth passage for the movement of electrode E therethrough (col. 5, lines 33-34). It would have been obvious to one of ordinary skill in the art to modify Mukai with a wire core and a wire guide hose for the wire core of Parmelee in order to improved arrangement for insuring that the electrode is electrically energized at a predetermined and consistent distance from the end of the contact tip and to provide a smooth passage for the movement of electrode E therethrough.

Fig. 3A

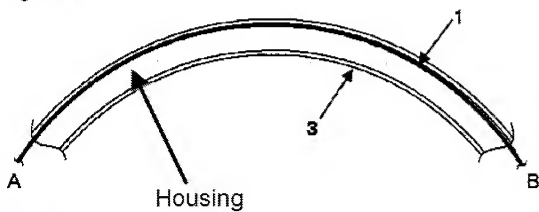


Fig. 3B

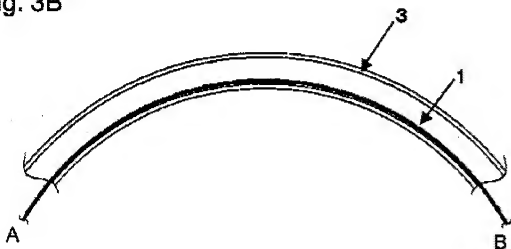
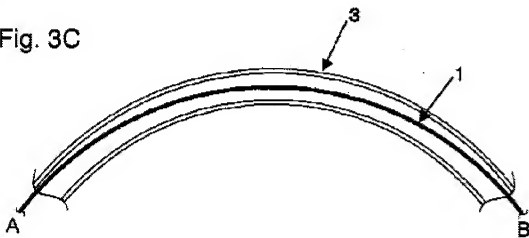


Fig. 3C



5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over by Mukai et al. (US Pub. No. 20040011776 A1) in view of Parmelee et al. (US 4,731,518) and further in view of Benfield (US 3594534).

Regarding claim 2, Mukai et al. in view of Parmelee discloses all of the limitations of the claimed invention, except for a quick-lock.

However, a quick-lock is known in the art. Benfield, for example, teaches a quick-lock 51 (fig. 2) (col. 2, lines 43-65). Benfield further teaches such a configuration provides a means to secure to join piece parts and reliable attaching to welding unit and quickly removed when not in use (col. 1, lines 40-50). It would have been obvious to one of ordinary skill in the art to modify Mukai et al. in view of Parmelee with lock means of Benfield in order to provide a means to secure to join piece parts and reliable attaching to welding unit and quickly removed when not in use.

**Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rigdon et al. (US 6,066,833) teaches a wire buffer 507a (fig. 27).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KET D. DANG whose telephone number is (571) 270-7827. The examiner can normally be reached on Monday - Friday, 7:30 - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoang Tu can be reached on (571) 272-4780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KET D DANG/  
Examiner, Art Unit 3742  
October 13, 2010

/Stephen J Ralis/  
Primary Examiner, Art Unit 3742